

REMARKS

Reconsideration of the present application is respectfully requested.

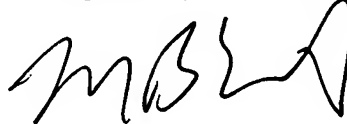
Claims 1-22 stand allowed, and claims 23-25 stand rejected under 35 USC §102(b) over Huang et al. Applicants appreciate the indication of allowable subject matter, but respectfully disagree with the §102 rejections since they require that a reference disclose exactly what an Applicant has claimed. In this case, Applicants' claim requires that the carrier itself include a ball valve seat, and there appears to be no dispute that the thing identified as the Huang et al. carrier fails to show this feature of Applicants' claimed invention. In other words, Applicants' claimed invention requires that the ball valve seat be included as part of the carrier, not included as some component carried by the carrier as in Huang et al. Nevertheless, in an effort to better distinguish the claimed invention from what is fairly taught by Huang et al., Applicants have amended claim 1 to include the feature of claim 25 relating to a ball valve member, and have made it clear that the ball valve member is a sphere. There should be no dispute that Huang et al. teaches a combination valve member and armature, and thus would appear incompatible with Applicants' claimed spherical ball valve member.

Applicants also take exception to the rejection of claim 24 since it specifically requires that the ball valve seat be a predetermined distance from a top surface of the carrier. There is no evidence that Huang et al. shows, suggests or teaches any such limitation with regard to its seat and anything that could be identified as its top surface. Therefore, the rejections should be withdrawn. Nevertheless, in an effort to better distinguish Applicants' claimed invention from what is fairly taught by Huang et al., Applicants have made it clear that this feature is provided so that the ball valve member is located below the top surface of the carrier. This aspect of the invention allows the carrier to be another stacked component in a fuel injector or valve assembly without effecting the check valve action of the ball valve member and its associated seat. There should be no dispute that Huang et al. neither shows nor suggests any such feature. Therefore, Applicants again respectfully request that the outstanding rejection against claim 24 be withdrawn.

Applicants also respectfully assert that claim 25 should be allowable over Huang et al. since the fluid passage is claimed as being defined by the carrier, whereas Huang et al. teaches a flow passage defined by components carried by its carrier. Therefore, the claim can not be read onto the structure of Huang et al. Nevertheless, in an effort to better distinguish the claimed invention from anything fairly taught by Huang, Applicants have made it clear that the claimed passage is outside of the stator assembly. There should be no dispute that the only thing that could be identified as the Huang et al. passage passes directly through its stator. Therefore, Applicants against respectfully request that the outstanding rejection against claim 25 be withdrawn.

This application is believed to be in condition for allowance of claims 1-25. However, if the Examiner believes that some minor additional amendment or clarification would overcome the restriction requirement or otherwise put the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at (812) 333-5355 in order to hasten the prosecution of this application.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'MBL' followed by a stylized flourish.

Michael B. McNeil

Reg. No. 35,949